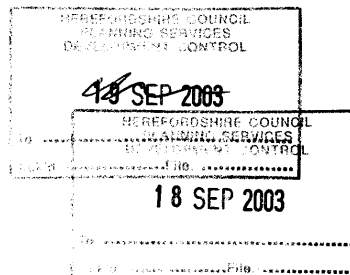


**Mr & Mrs M.R.Burden**  
Lane Cottage  
Hook Lane  
Acton Beauchamp, Worcester  
WR6 5AH  
Home Phone 01886 884431

September 14, 2003

*Moore  
ack*



Herefordshire Council  
Northern Planning Services  
PO Box 230  
Blueschool House  
Blueschool Street  
Hereford  
HR1 2ZB

Dear Sirs,

*Ack 19/9*

*Ack 19/9*

**Re: Application number - DCNE2003/2422/F + APPEAL NO: EN03/0026/ZZ**  
**Woodend Farm, Bromyard Road, Cradley, Herefordshire, WR13 5JW**

*Ack 19/9*  
*REF APP/W1850/C/03/1124832*

Regards the above and your written confirmation of proposed continued use of landscaped mountain board centre. Retention of cabin for reception shop, toilet block, hardstanding, camp site and car park, we wish to make the following objections.

We would firstly like to remind the planning and the members of a brief history of events to date;

- 1) Contacted Council to advise a breach in planning & letter received from R Pryce (planning officer) 19th October 2000
- 2) Received notification of planning application 23rd January 2001 - number NE2001/0022/F
- 3) Our original letter of objection submitted 24th January 2001
- 4) Letter sent to K Bishop regarding events of weekend 26th May 2001 - Music & Floodlights until 4am the following morning, this was reported to Bromyard Police who attended and confirmed music levels excessive, requested be turned down which was ignored.
- 5) 1st Inforcement Notice issued - Exact date not known
- 6) The centre continued to run throughout the foot & mouth crisis without provision for feet deeps; contrary to MAFF advice concerning spread of infectious diseases throughout the UK by persons from outside the area, from sources unknown, displaying skany regard for the local farming community as a whole.
- 7) Letter received from Herefordshire Council to confirm the date Northern Area Planning to consider application as being the 4th July 2001, this letter was dated 6th June
- 8) Further letter from Herefordshire Council requesting any further representations, 13th June 2001
- 9) Our response forwarded to Kevin Bishop 17th June
- 10) Letter from Herefordshire Council confirming outstanding issues and application to be presented on 1st August 2001, this letter dated 20th June
- 11) Event held weekend of the 25th August 2001- noise levels witnessed from our home by Environmental Health Officer who, agreed that a severe noise nuisance had occurred - NOTE: WE HAVE THE OFFICIAL VIDEO OF THE UK BOARDING SERIES 2001 "THE FOOT & MOUTH YEAR" THIS SHOWS THE CLOSE PROXIMITY OF THE TRACK TO OUR HOME, SHOULD THE MEMBERS WISH TO VIEW THIS.
- 12) ABATEMENT NOTICE SERVED IN RESPECT OF NOISE NUSIANCE 24TH AUGUST 2001
- 13) Planning application refused on the 24th October 2001 - the reason given "The proposal is considered to be contrary to Employment Policy 9 & Recreation Policy 3 of the Malvern Hill District Local Plan & Policy 2 of the Hereford & Worcester County Structure Plan in that the use causes undue disturbance by reason of noise and general activity to nearby neighbours".
- 14) 2nd Planning Application submitted number NE2002/0021/F confirmation received in letter dated 10th January 2002
- 15) Our letter of objection forwarded 25th January 2002
- 16) The 2nd Application was granted 13th February 2002 with 13 conditions including temporary permission for a 12 month period
- 17) A further Event was held August 2002 with Music & Tannoy this event was moved to a field further away to overcome the

conditions which had been applied by the council members

18) Application number NE2002/0021/F expired 13th February 2003. The centre has been operating since, doing as it pleases!! until a 3rd application was submitted as per the Herefordshire Councils letter to us of the 29th August 2003, so a further 5 months have elapsed without restrictions, this application was only prompted by the issue of a 2nd Enforcement Notice.

19) An Event held the weekend of the 9th & 10th August, with Music & Tannoy. The use of Music & Tannoy was **NOT AGREED** by either Environmental Health or Planning, although alleged by applicant

The front of our home (not the back, as stated by the applicant) overlooks the "Centre". The North Track, nearest to our home has now been taken up but, this was not implemented until Friday 8th August 2003, 18 months from the date given by council to take steps to avoid use. We have been forced many times to move out of our home when noise levels are so excessive that it is impossible to remain (including overnight), and at the request of environmental health remained at home for the weekend of the 9th & 10th August in order for them to monitor the levels of noise and tannoy. It was agreed by Andy Tector from the Environmental Health Department that the noise level generated did constitute a nuisance, and that the environmental department is currently considering legal action because of this as a **NOISE ABATEMENT NOTICE** was served in August 2001, due to persistent noise problems incurred on the land in connection with the applicant's use up for renewal.

It has been generally considered by all that our amenity has been affected by the use of land. We have extensive video and photographic evidence which substantiates our claim that our **QUALITY OF LIFE** has been affected, on one occasion I looked through our bedroom window to see a man urinating in the field, looking directly at us. This together with the continued screams and yells of the participants continue to cause us distress. We have extensive video and camera evidence that counterclaims **ALL** the applicants "facts" in the statement.

We would draw your attention to the boarding erected at the entrance site, is this suitable for area? (again, no planning consent) along with the unauthorised Brown "tourist board" signs directing traffic from the main Bromyard to Worcester Road and the Worcester to Hereford road junctions. We again question the hump at the top of the site nearest the junction of Hook Lane and the B4220 as, when participants are standing on it, traffic may be seen to veer over the road as their eyes are diverted to look at persons apparently standing on the hedge! - this on a notoriously bad bend on a particularly narrow stretch of road.

Much emphasis has been made regards the need for children to "play in the fresh air" surely, our child should be allowed the same privilege, at present, our home is not the peaceful family home we purchased 8 years ago. Being awoken at night during his events, and us all being unable to sleep until the centre decides to shut down for the night (usually around 3am) is not pleasant at all.

Further emphasis has been made to a "specially silenced" vehicle that he uses. This vehicle is rarely used; he has used a dizzying array of vehicles for conveying passengers around, and currently uses a beat-up old tractor, certainly not specially silenced, hardly silenced at all. His "fact" regarding land vehicles is laughable. We have to endure a (tractor at present) driving all day every day around the field rattling a trailer behind, at approximate 5 minute lap times. It stops directly outside our home, chugging merrily, and then chunders off around the field. It is always at the (close) set distance, always stops, sometimes goes fast, sometimes slow. I cannot think of any such sense farming method however hard i try.

Further note that continued snide references to **ONE NEIGHBOUR** is not the basis for allowing the centre to continue in its current position (nor is it accurate). We have always maintained that we have no objection to the centre continuing to operate but **NOT** at our expense. Our quality of life, which continues to be affected cannot be disregarded or ignored. If the centre had gone through the proper channels rather than apply for "**RETROSPECTIVE**" planning, would the course be allowed to operate so close to private housing?, in the manner that it does so? We think not.

The use of Tannoy & Amplified sound is unsuitable and not in keeping with the previously quiet location. The actual need for this is questionable as it does not help the boarders, just causes an unnecessary nuisance.

Furthermore, we remind the council that the location of the centre is in an area of Great Landscape Value, which if, the way the centre without regulation is progressing, will only be a blot on the landscape, as ugly mounds and tracks are appearing ad hoc.

The council members cannot disregard the previous problems and conditions that were both applied (to protect our amenity), and ignored by the applicant (as we all know, and we can prove). We feel that if permission was granted, the same conditions would be applied, however, we are not the councils spies and should not be expected to watch over the centre to ensure that all of the conditions are adhered to. (which they haven't so far)

A statement has been made by Johnathan Barrett (Head of Planning) that temporary conditions were applied to protect us from verified noise and interference which, were not complied with. Do the members really feel that any further conditions will make any difference

when nothing has been complied with so far, regardless of his "facts"

Contrary to "facts" from Mr Johnson, there is a Mountain Board Centre within the Herefordshire Borders, which does not make the centre "Unique". The centre at Tillington (12 miles away) has not experienced problems, perhaps, because private housing is not so close. National events of the sort to which he refers are held with Tannoy and speakers here too. Surely the national members and local participants could travel the 12 miles to this centre for the extra dates of their events, rather than distressing us and Mr & Mrs Diplock whom business suffers directly as a result of his "must have events". There is therefore be no actual need for events to be held here. Rather, they are totally out of keeping with the local area, upset more than "just one neighbour", and cause a local thriving business to suffer financially at his will. Any events held here are undertaken by the applicant whenever he feels, with no regard to planning rules or neighbours and so it continues without recourse for purely monetary gain.

No doubt, there will be 100's of letters in support of the centre however, we must bear in mind that these individuals are children or child-like pleasure seekers from outside the area who have no regard for our welfare or anyone's enjoyment or rights except their own. Fuelled by malicious propoganda, (we have been slandered to locals and strangers alike for events that in fact never happened), and egged on by a ceaseless tirade of lies and deceptions, it would be of little surprise that this would be true. Countless scores of children would deluge the council if they thought that would make you abolish mathematics, but that would not make it right would it? Dispairing parents of unruly children may also be pleased to offload their little ones, but cannot surely be surprised (if they are honest) that we do not like to live with this on our doorstep in the manner to which he wants it to run.

We also note that no mention has been made regarding "Get A Grip". Will this venture run hand in hand with the Mountain Board Centre as it has so far?, likewise the buggy racing and quad bikes that run regularly that have never had permission applied for; and that the parish council is against the use of engines...?

In summary, we object to the continued use of the centre for the following reasons.

We would draw your attention to paragraph three, Council letter dated 2nd September 2003 regarding the appeal that "The Council does not consider that planning permission should not be given because planning conditions could not overcome these objections"

The proposal still impacts upon the Human Rights Act 1998 - 'Everyone has the right to his private & family life, his home and correspondence' Protocol No 1 Every natural or legal person is entitled to the peaceful enjoyment of his possessions.

Conditions have been attached previously to the temporary permission that were ignored

The campsite could create security problems

The massive earthworks undertaken are unsightly

The applicant has stated in press reportings that 400 people have attended, this of course will have an impact on the narrow and dangerous B4220

Use of Tannoy or Amplified music wholly unsuitable for the area & the tranquility of the countryside will be impacted upon

Aspect of Land changed from Great Landscape Value to theme park arena

Use of land vehicle to pick up passengers every day without break; too constant, too close and too noisy

Tuesdays (his closed day) is sometimes open, and always has lawnmowers and vibrating rollers traversing the ground

thereby causing more disturbance on the only prospective day of peace we have (although we are normally at work)

Any conditions applied carry no interest to the applicant. Contrary to his statement of "facts" presented, he has continued to flout most of the conditions attached (noise, opening hours, earthworks, advertising); so setting more will not help.

The applicant displays total contempt for any rights or amenities that we have. Life is for his living only, it seems.

The applicant has proven himself to be totally untrustworthy and arrogant in the dealings with the Council, let alone any of the neighbours.

We have no day at home without any peace. Why should every Sunday and most Bank Holidays be shattered by this?

If Planning granted who, will enforce any conditions? Huge changes have occurred on the site since the last application passed and all without planning, we cannot be expected to "watch over the site" and it would be unreasonable to expect environmental health to attend at any given time at short notice.

The history of the site cannot be ignored; this venture has been problematic from the outset. We feel that any conditions now applied would certainly be abused and it would be unreasonable of the council to allow the site to continue when this clearly has had such a hugh impact on our daily life.

A statement has been made by Jonathan Barrett, Head of Planning that previous planning granted with conditions to protect local residents from noise and interference were not complied with.

The granting of a Public Entertainment Licence, is not the solution.

CONTINUAL DRONING OF THE PLYWOOD SKATEBOARD RAMP, IS NOT IN KEEPING WITH THE AREA.

Yours sincerely,

Howard Burt

